

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

MARY LALIBERTE, *et al.*,

Plaintiffs,

v.

QUANTA SERVICES, INC.,

Defendant.

Case No. 4:22-cv-03290

**PLAINTIFFS' UNOPPOSED MOTION TO FILE EXHIBITS UNDER SEAL  
AND MEMORANDUM OF LAW IN SUPPORT**

Plaintiffs Mary Laliberte and Marie McKnight (collectively, "Plaintiffs"), pursuant to Federal Rule of Civil Procedure 26(c) and this Court's Procedure's and Practices, submits the following as its Memorandum in Support of their Motion to File Exhibits Under Seal. For the reasons discussed below, Plaintiffs respectfully requests the Court's permission to file under seal Exhibits A, C, D, and E to the Declaration of John C. Roberts in Support of Plaintiffs' Motion for Class Certification. In support of this motion, Plaintiffs state as follows:

1. Plaintiffs' Motion for Class Certification refers to certain documents produced by Defendant Quanta Services, Inc. ("Quanta" or "Defendant"), which Quanta designated as "Confidential" pursuant to the Stipulated Confidentiality Order in this case at the time they were produced in discovery, because Quanta asserts they include sensitive and confidential information.

2. The Stipulated Confidentiality Order provides that, absent the consent of the designating party, confidential information must not be filed or used unless the information is filed pursuant to the Court's procedures for filing documents under seal. Dkt. 57 at ¶ 7.

3. Exhibits A, C, D, and E contain information Defendant has designated as confidential, and therefore, the requirements for protection from public filing set forth in the Stipulated Confidentiality Order are applicable.

4. Exhibit A to Plaintiffs' Memorandum is the 2016 Quanta Services, Inc. Retirement and Savings Plan Summary Plan Description, produced by Defendant in this action. Defendant has designated Exhibit A as confidential on the basis that it contains proprietary business information.

5. Exhibit C to Plaintiffs' Memorandum is the Quanta Services, Inc. Retirement and Savings Plan Investment Policy Statement as amended and restated effective June 8, 2016, produced by Defendant in this action. Defendant has designated Exhibit C as confidential on the basis that it contains proprietary business information.

6. Exhibit D to Plaintiffs' Memorandum is the Fourth Quarter 2015 Investment Review, produced by Defendant in this action. Defendant has designated Exhibit D as confidential on the basis that it contains proprietary business information.

7. Exhibit E to Plaintiffs' Memorandum are excerpts of the transcript of the deposition the Plan's investment advisor, Richard Eagar. Defendant has designated Exhibit E as confidential on the basis that it contains proprietary business information.

8. This Court has sealed documents to prevent the disclosure of confidential business information. *Occidental Petroleum Corp. v. Wells Fargo Bank, N.A.*, 622 F.Supp.3d 495, 507 (S.D. Tex. 2022), *aff'd*, No. 23-20318, 2024 WL 4219295 (5th Cir. Sept. 18, 2024).

9. Although Plaintiffs generally do not believe that the information designated by Defendant warrants confidential treatment, this request is made out of an abundance of caution and on an interim basis, until the Court determines whether to allow such materials to be maintained under seal pursuant to Defendant's designations.

10. Unredacted courtesy copies of the Exhibits will be delivered to the Court. Redacted versions of the exhibits will be filed on the public record on this date.

WHEREFORE, for the foregoing reasons, Plaintiffs respectfully request that this Court grant Plaintiffs' Motion to file under seal Exhibits A, C, D, and E to Plaintiffs' Motion for Class Certification, and for such other and further relief as the Court deems proper.

DATED: September 20, 2024

Respectfully Submitted,

/s/ John S. "Jack" Edwards, Jr.

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*Attorneys for Plaintiffs, the Plan,  
and the Proposed Class*

**CERTIFICATE OF CONFERENCE**

The undersigned counsel certifies that counsel for the parties have conferred via email regarding Plaintiffs' Motion for Leave to File Exhibits Under Seal and that Defendant does not oppose the motion.

/s/ John S. "Jack" Edwards, Jr.  
John S. "Jack" Edwards, Jr.

**CERTIFICATE OF SERVICE**

I certify that, on September 20, 2024, I electronically filed the foregoing using the CM/ECF system, which will send an electronic notification of such filing to all counsel of record.

/s/ John S. "Jack" Edwards, Jr.  
John S. "Jack" Edwards, Jr.